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January 20, 2006

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Dear Sir or Madam:

I write to inquire whether your company has allowed the federal government to eavesdrop on customer communications through your facilities or has turned over customer records when not compelled to do so by law.

Recent press accounts state that a number of unnamed telecommunication companies have turned over costumer data to the federal government or have granted the government access to infrastructure that would allow it to not only collect non-content data, but directly monitor the content of telephone calls, electronic mail and facsimile transmissions.¹ In light of this new information, I ask the following:

1. Has your company, or its contractors or subsidiaries ever given the government access to any of their hardware or software used to deliver communications services in response to a request that was not compelled by one of the following: a grand jury subpoena, a national security letter, a court authorized wiretap order, a valid pen register or trap and trace order, a valid administrative subpoena or a request for documents and things under Section 215 of the PATRIOT Act? If access was used to monitor the content of communications, what type of communications were monitored? How many customers were surveilled? On what date(s) did the surveillance take place? Was surveillance continual or intermittent? Were the customers surveilled ever notified? Does the government presently have access to these methods of communications? What authority was cited by the government to have access to such content without a valid wiretap? What agency or department conducted the surveillance?
2. Has your company, or its contractors or subsidiaries ever turned over customer records to the federal government in response to a request that was not compelled by one of the following: as a grand jury subpoena, a national security letter, a valid pen register or trap and trace order, a valid administrative subpoena, or a request for documents and things under Section 215 of the PATRIOT Act? How many times did you receive such a request? What authority was cited in each request? What agency or department made the request? How many times did you comply with such a request? What information was shared with the government in response to each request? How many customers' records were shared under each compliance with such a request? On what date(s) did you turn over your customer records? Were customers ever notified that their information was given to the government?

I look forward to receiving your response as soon as possible. Please contact me through the House Judiciary Committee Democratic office, 2142 Rayburn House Office Building, Washington, DC, 20515, (tel: 202-225-6504, fax: 202-2254423).

Sincerely,



John Conyers, Jr.
Ranking Member
House Judiciary Committee

¹James Risen & Eric Lichtblau, *Spy Agency Mined Vast Data Trove, Officials Report*, N.Y. TIMES, Dec. 23, 2005, at A1; James Risen & Eric Lichtblau, *Bush Lets U.S. Spy on Callers Without Courts*, N.Y. TIMES, Dec. 16, 2005, at A1.